TALSE-Amelia, wife of John B. Talge, age fifty years, at residence, 57 Woodruff avenue, Dec. 11, at 3 a. m. Funeral Fri-WARD-Inez, eldest daughter of H. L. and Lillian Ward, at Hotel English, at 3 p. m., Wednesday, Dec. 11. Funeral private, Chicago papers please copy.

SOCIETY MEETINGS. MASONIC-Pentalpha Lodge, No. 664, F. and A. Masons, -Special meeting in Masonic Temple this (Thursday) evening, at 7:30 o'clock for work in the second degree. Visitors welcome L. HUTCHINSON, W. M. WILLIAM H. SMYTHE, Secretary.

FINANCIAL. LOANS-Money on mortgages. SAYLES, 75 East Market street. MONEY TO LOAN on Diamonds, Watches, Clothing, etc., at No. 149 East Washing-

FINANCIAL-Large loans at 5 per cent. on business property. THOS. C. DAY & CO., 72 East Market street.

FINANCIAL-Mortgage loans. Six pe cent. money; reasonable fees. C. S. WAF BURTON, 28 Lombard Building. LOANS-Sums of \$500 and over. C. E. COFFIN & CO., 90 East Market

MONEY-To loan on Indiana farms. Lowest rates, with partial payments. Addiess C. N. WILLIAMS & CO., Craw-MONEY TO LOAN-On farms at the lowest market rate; privileges for payment before due. We also buy municipal bonds. THOS. C. DAY & CO., 72 East Market

WANTED-MALE HELP, WANTED-Christian man wanted, not emloyed, acquainted with church people, is per week. Write STANDARD MANU-FACTURING COMPANY, 11 Franklin street, Boston, Mass,

WANTED-Salesmen to take orders. We send samples; give exclusive territory; pay good salary and expenses, or liberal commission to proper applicants. Address Postoffice Box 125, New York city. WANTED-Salesmen to introduce a special line of canned goods with retail grocers and make deliveries through city jobbers; choice qualities, that are sure to please, at popular prices; liberal commission and

WANTED-MISCELLANEOUS. TAYLOR & SCHNEIDER-Formerly with R. R. Miles, are now at 22 West Circle

NING COMPANY, Muncle, Ind

WANTED-Second-hand engine and boiler, four or five horsepower. E. NEWLIN, Carmel, Ind. WANTED-Letter press wanted. All cast iron, screw adjustment, not over 12x15 bed. Cash for same. The ECHO, Darlington,

WANTED-A good contralto voice for quartet, also contraltos and bassos for Apply, First Baptist WANTED-A first-class.

perienced double entry bookkeeper and cashier for a large manufacturing company, one who is capable of handling a force of assistants and taking full charge of counting room, No other need apply. Answer in own hand-writing, stating age, experience and salary expected.
Address H. care Journal. WANTED

MONEY. MONEY. MONEY. Loaned on Furniture, Planos. Etc., in sums of \$10 and up, and on time to suit borrower and at lowest rates. Business SECURITY MORTGAGE LOAN CO., Room 207 Indiana Trust Bldg., cor. Wash-ington St. and Virginia Aye. Entrance on Washington St.

BUILDING AND LOAN. BUILDING AND LOAN-The very lowest rates on loans can be obtained at the Building and Loan Office, 89 East Market street. HOWARD KIMBALL, Sec-

ANNOUNCEMENTS. ANNOUNCEMENT-How to NOUNCEMENT—How to become lawful hysicians, Course by mail, ILL HEALTH UNIVERSITY, Chicago.

MASSAGE MASSAGE-Massage treatment for gentlebaths; alcohol rubbing. No. 4 Massachusetts avenue, corner of Pennsylvania, MRS, DR. SILVA.

NOTICE TO STATIONERY AND BLANK

BOOK HOUSES, Notice is hereby given that the committee on printing and stationery of the Grand O. O. F. of Indiana will up to 2 o'clock p. m., on Thursday, the 19th day of De-cember, 1895, receive sealed bids for the stationary and blank books for the year succeeding the letting or to be for one year. After which hour the committee will examine all bids and award to the lowest and best responsible bidder, the committee reserving the right to reject any or all bids.
The samples and formula of bidding and the material and matters used and needed meet at the time above designated in the above the grand secretary's office and also at 10 o'clock a. m. on said 19th Chairman Committee on Printing. Indianapolis, Dec. 9, 1895. of December, 1895.

Proposals for Supplies. National Military Home, Indiana, treas-Sealed proposals will be received at this office until noon, Saturday, Dec. 21, 1895, for furnishing and delivery of supplies at Maron branch, National Home, D. V. S., quantitles to be increased 10 per cent., if required during the execution of the contract. Standards can be examined, and printed Standards can be examined, and printed instructions and specifications and blank proposals will be supplied upon application to this office. Samples presented by bidders will not be considered unless same are called for in specifications. The right is reserved to reject any or all proposals, or to waive any informalities therein. Envelopes containing proposals should be indersed: Proposals for supplies, N. H. D. V. S., and addressed to the undersigned. H. O. HEICHERT, Treasurer.

JUSTIN H. CHAPMAN, Governor

MAIL FOUND BY THE WAYSIDE. . Seven Sacks That Came from a Van-

dalia Postal Car.

A telegram from Danville says: "Sunday and Monday mornings seven sacks of paper mail were found along the Vandalia road between Clayton and Amo. The sacks were full and were for Arizona points. A postal clerk explains that Sunday night the fast mail out of Indianapolis was boarded by tramps, who sought refuge in a mail car and fastened the doors, not allowing any one to enter. It is said these tramps threw the mail off. Clerks are very reticent in talking about the matter, and nothing more could be learned. The mail was picked up by farmers and given to the mail crews on local trains."

Personal, Legaler passengers con Central, died at fifty-five years.

At the postoffice nothing is known of this. Night Superintendent Parish says he has not heard of the matter, and several the cierks were also surprised when the telegram. None of them believe there can be any truth in the tramp part of the story, from the fact that the doors of the mail cars are always locked and the cars are never left alone. Mr. Parish thinks he would have heard of the matter if any mail bags had been found, and so is inclined to doubt that part of the story.

DAILY VITAL STATISTICS-DEC. 11. Deaths.

Nellie O'Conner, two years, 330 Bates Infant Johnson, twelve days, Northwestern avenue, inanition.

Infant Larne, two days, 28 Columbia street, premature birth.

Honorah Mullen, eighty-four years, 26 Dougherty street, senile debility.

Marriage Licenses. James H. Wholley and Amelia L. Fahrion.
John W. Lash and Mary C. Hansing.
Louis Maxey and Cassie Rice.
Frank T. Mount and Allie Jenkins.
Walter L. Fugate and Gertrude Hassler.
Arthur Wadsworth and Sarah A. Dean.
James M. Cox and Annie M. Larrimore.

Catarrh is a constitutional disease and anot be cured by local applications, od's Sarsaparilla is a constitutional remcures catarrh because it purifies the Hood's Pills are purely vegetable and do not purge, pain or gripe. Sold by all drug-

M. D. WOODFORD PRESIDENT AND G. R. BALCH SECRETARY.

.. H. & D. to Take Full Control Jan. 1-Probable Express Changes-To-Day's Meeting of Presidents.

The following persons have been elected fficers of the Indiana, Decatur & Western: M. D. Woodford, president; H. F. Shoemaker, vice president; George R. Balch, secretary: F. H. Short, treasurer. It will be noticed that the four are closely identified with the Cincinnati, Hamilton & Dayton. Mr. Balch is a son-in-law of President Woodford. The understanding is that the Cincinnati, Hamilton & Dayton will be in full control of the Indiana, Decatur & Western by the first of the year. Many changes are likely to follow this deal. That a new through line between Cincinnati and St. Louis will be established is certain, as the line, in connection with the Toledo, St. Louis & Kansas City, is no longer than the line of the Big Four between Cincinnati and St. Louis, and doubtless the through parlor ear now run daily over the Cincinnati, Hamilton & Dayton and the Vandalia will be transferred to the new line, as the Toledo, St. Louis & Kansas City is already arranging to put on a train which will make a good day connection for St. Louis with the Cincin-nati, Hamilton & Dayton lines. In freight the improvement in business with the indiana, Decatur & Western and the Cin-Innati, Hamilton & Dayton will be most marked, as in its new acquisition the Cincinnati, Hamilton & Dayton gets into the heart of the best corn belt in this sec-

The American Express Company now operates over the Indiana, Decatur & Westrn, and has a lease which does not expire for five years. The United States Express Company operates over the lines of the Cincinnati, Hamilton & Dayton, consequently it is likely that some arrange-ment will be made by which the American exclusive agency to men with first-class will vacate and let the United States take references. Address MAGIC CITY CAN- its place, which will give the latter a good company. As regards officers of the In-diana, Decatur & Western, it is settled For eighteen consecutive months the only that William Green is to be the gensuperintendent, D. G. Edwards the general passenger agent, and A. H. McLeod general freight agent. Although it has not been definitely settled it is quite probable that George H. Graves will be continued as

superintendent, as at present. In getting the Indiana, Decatur & Western, the Cincinnati, Hamilton & Dayton people secure some excellent power, which s in fine condition, and several good coaches, some of which were quite recently purchased from the Pullman company. In freight cars the Indiana, Decatur & Western was not so well provided as with other rolling stock; however, what they have got is in good shape for service. In years past, prior to its burning, the Indiana, Decatur & Western utilized its elevator on the West Side to great advantage, it being worth, it is claimed, five hundred cars to the road.

The Joint Traffic Association. Pursuant to a call issued by President Roberts as chairman of the joint commit- nected with any of the pending litigation tee, the presidents of the lines in the with which he formerly was identified. tee, the presidents of the lines in the Trunk-line and Central traffic associations will meet in New York to-day for the purpose of organizing the new joint traffic aslast meeting of the presidents an adjournterested lines to fully consider the new

measure and arrange for the new agreement. At to-day's meeting the formal signature of the articles of the association will be given by each system, after which the work of placing the new organization in operation will be proceeded with. A chairman and secretary of the board of control are to be selected from the presilents representing the different systems, and then probably the most important task will follow. This will be the naming of

three arbitrators and three commissioners

who are to manage the new organization

in conjunction with the board of managers. A board of accounting will also have to be appointed, and the very important ques-tion of determining the future of the two existing associations will be settled. The salaries of the various officials selected are also a matter of interest, and, taken altogether, the meeting will be one of the most important ever held by the trunkline presidents. Just who are to be the incumbents for the various places is yet a matter of conjecture, and even though a number of names have been offered, the presidents will have to come together before the appointments can be agreed on. It is likely, however, that President Roberts will be chairman of the board of control, with F. H. Hoyt as secretary.

was said at New York yesterday that E. B. Stahlman, of the Old Southern Rallway and Steamship Association, would be one. Commissioner Goddard, of the Trunk-line B. F. Foster, grand secretary and grand scribe, at his office in the Odd Fellows' Bullding, Indianapolis. The committee will appointed to fill the three scribes appointed to fill the scribes appointed to fill t appointed to fill the three commissioner-ships. Regarding the continuation of the two associations a prominent president said: "Yes, they will be maintained, not-withstanding all reports to the contrary. There is ample reason for their continu-ance, for they will have much traffic to look after that does not come under the

jurisdiction of the joint traffic association." Atchison Directors.

A large party of the directors-elect of ing, for Topeka, where a reorganization meeting will be held to-day. It is expected that at this meeting all the details of the road formally turned over to the new owners. The present slate for the executive committee is: Aldace F. Walker, E. P. Ripley, B. P. Cheney, Victor Morawetz, T. P. Fowler, E. N. Gibbs and R. S. Hayes. Most of the committee will return at once, but a number of members will remain in To-peka to attend to the closing of the accounts and other matters of a similar nature. Mr. Walker, the new chairman of the board, will not leave Chicago for his new office in New York until after Jan. 1. President Ripley and Third Vice President Morton will make a tour of inspection of the road before they return to Chicago from

Fighting Over Freight Rates. The Eastern roads are still fighting over freight rates from Chicago to the Atlantic seaboard. Some of the roads are claiming. as they have claimed all along, that all the cuts are made for no other reason than to even up percentages before the first of the year. This is stoutly denied by the lines which have no percentages to even up, and, meanwhile, the reduced rates are in effect and the road making the most of them is getting the lion's share of the traffic. It is probable that the fight will be kept up for the remainder of the month.

Personal, Local and General Notes. James C. Van Dake, one of the veteran passengers conductors of the New York Central, died at Rochester on Monday, aged

The Pittsburg, Cincinnati, Chicago & St. Louis (Panhandle) lines now stand second in importance in the list of great railways Engine 10, of the Belt road, will to-day be turned out of the shops rebuilt and equipped with all modern devices required by a first-

class switching engine. The shops of the Pennsylvania Company at Fort Wayne are turning out five new gondola cars per day for the Pittsburg, Fort Wayne & Chicago.

Under the new rule of the Chicago & Ohio River Traffic Association parties of twenty-five adult passengers are allowed to have a baggage car free. W. W. Wilson has been appointed general manager of the Kansas City, Beaumont & Gulf railway, effective Jan. 1. His head-quarters will be at Beaumont. The directors of the Grand Rapids & In-

diana have voted in favor of joining the joint traffic association and have named D. S. Gray to represent them. Asa Sherman, who for twenty-five years was a conductor on the Vandalia, but now

owning a farm at Greenville, Ill., on Tuesday buried his wife at Terre Haute. The Pennsylvania Company is repairing its Ninth-street passenger station, Louis-ville, and among other things fitting up a pleasant reading room for its employes. General Manager Bradbury, of the Lake Eris & Western, is in Chicago and Traffic Manager Parker and General Passenger Agent Dally in Peoria on official business. Indications are that in spite of the desire of some of the security holders of the Ohio Southern to adjust its affairs as regards finances without the court expenses and whiten this delicate sheathing, of a foreclosure sale, it will be forced to impart fragrance to the breath.

upon them and it is understood that a foreclosure sale means that the Ohio Southern will fall into the hands of the Brice

The passenger department of the Toledo, St. Louis & Kansas City has fixed upon Dec. 22 as the date for putting on its new through day trains between Toledo and St.

W. A. Place, for many years a passen ger conductor on the Cincinnati, Hamilton Dayton, is now in charge of a through passenger train on the Chicago & Eastern

V. T. Malott left for New York yesterday to look after some matters in connection with his duties to the Chicago & Western Indiana, he being chairman of the execu-The Track Foremen's Association is in

legates are present. Grand Master J. F. The Vandalia has a large bridge force repairing its bridges where needed and a e-driver at work driving piling at the

give them trouble. Charles H. Rockwell, late general passenger agent of the Cleveland, Akron & Co-

he is well fitted to fill. tank, and have 20 by 24-inch cylinders. George Burns, formerly in the office of E. . Peck when the latter was general suand the through sleeping car run nightly perintendent of the Big Four, is now act-

> The Chicago & Alton has put on two complete new passenger trains to run between Chicago and Kansas City. They are vestibuled throughout, heated by steam from the locomotive and lighted with John W. Campbell, better known as

"Jack" Campbell, traveling agent of the Pennsylvania and Vandalia lines, yesterday celebrated his seventy-second birthday, and was the recipient of several presents appropriate to the event. Chicago and Ohio river lines have tendered their Western connections a rate of \$15.15, from Chicago to Atlanta and return,

to be used as a basing rate, Dec. 21. The tickets sold at this rate are to have a final return limit of ten days. The first week in December the Peorla, Decatur & Evansville earned \$17,113.69, an increase over the corresponding week of connection with the Wabash at Decatur, a 1854 of \$1,019.69. The Louisville, Evansville very desirable thing for the United States & St. Louis earned in the first week \$30,-For eighteen consecutive months the cars shown a steady increase over corresponding months of former years, demonstrating what an improvement has been made in

> these lines. The vacant vice presidencies of the Erie, it is stated, will be filled within the next ten days, and E. B. Thomas, president, is quoted as saying that J. K. Hannaford will not be one of them, as he is well satisfied with his present position, that of traffic manager of the Northern Pacific.

Nicholas Handiboe, one of the oldest employes in the Panhandle shops in time of service, was buried at Columbus yesterday. He was a valuable man to the company being an expert coppersmith. His funeral was attended by 186 of the shop employes and a number of the railway officials. Charles W. Fairbanks, of this city, who for many years has been prominently identifled with railroad matters, much of the time as a general solicitor, is now entirely

out of this field; in fact is not now con-Chairman A. C. Bird, who will shortly assume the position and duties of general traffic manager of the St. Paul system, has resigned his position as chairman of the committee for two years. J. M. Johngeneral freight agent of the Chicago, Rock Island & Pacific railway, was elected chairman to fill the vacancy.

The Chicago Live Stock Exchange yesterday filed with the Illinois State Board of Railroad and Warehouse Commissioners omplaints against the Chicago, Rock Island & Pacific, the Burlington & Quincy and the Chicago, Milwaukee & St. Paul railroads, charging them with extortionate terminal charges in handling cars carried for the Union stock yards, Chicago, The Southern Pacific Railway Company said to have determined to require each

conductor in its employ to give a bond of \$1,000, secured in the Kansas City Surety Company. The surety company will send out "spotters" to watch the conductors when deemed necessary, and assume any losses the railroad company may sustain through dishonest employes. John F. Miller, general superintendent of the Pennsylvania lines (Southwestern system), has been in Pittsburg for a couple

of days in consultation with other Pennsylvania officials as regards proposed im-provements the coming year, Mr. Miller feeling that the earnings of the Panhandle lines will justify some improvements which have been shelved for a couple of years The Pittsburg, Fort Wayne & Chicago is now laying a large mileage of track with steel rails weighing eighty pounds to

the yard and with Goldle tie plates. The officials of the Pennsylvania lines are very proud of the physical condition of the Fort Wayne road at the present time and propose to lay the whole line with this weight steel rail where it is not already so pro-

At Akron, yesterday, Judge Morris Daniel Babst from assuming the duties of receiver of the New York, Pennsylvania & Ohio railroad, he having been appointed by the court at Marion. The action was taken at the instance of John Tod, of Cleveland, who had been previously appointed by another court. The hearing is set for Dec. 17 But few business men are aware of the expense attached to the doing of the gen-

eral switching service by the railways. At the terminals on the Big Four system ninety-six switching engines and crews are in daily service. The average cost of working the ninety-six engines, including the pay of engineer and fireman, has been \$1,592 per day. To this service is yet to be added the pay of the conductors and switchmen. The Cincinnati, Hamilton & Dayton railway having, by the passage of an ordinance, Tuesday night, acquired the right of way through Jefferson, Second, Third, Fourth, Charles and Libby streets, at Middletown, it was announced yesterday that the Cincinnati and Dayton branch will be

connected there with the main line with double tracks, between Cincinnati and Middletown, within a few miles of Dayton. The rate committee of the Southern States Passenger Association met at Savannah yesterday. Almost every roailroad in the South was represented. It was decided to reduce rates to the Atlanta exposition from Dec. 19 to 25, inclusive, as follows: Over 250 miles, 50 per cent. of first-class fare; 100 to 249 miles, 60 per cent.; 25 to 99 miles, 1 cent per mile; under 25 miles, one fare for round trip. All tickets

will be good five days. William Dunnick, one of the Panhandle passenger engineers running between Indianapolis and Columbus, on Monday drew is last month's pay and put \$90 of it in vest pocket, as he supposed. A few minutes later he felt for it to put it in safet keeping, and it was gone. He thinks that and dropped without his noticing it. He has not been able to find it and has no clew other than the one stated regarding the

According to recent comparisons of the different trainloads on the various lines in this country the Chesapeake & Ohio leads, 306 tons to a mile; Lake Shore is second with 267 tons; the New York Central third, with 249 tons, and the Erie fourth, with 237 tons. The Chicago, Milwaukee & St. Paul leads the Northwestern lines, with 161 tons. The Great Northern record of 237 tons is approached only by the Union Pacific, with 202 tons, as far as transcontinental lines are concerned.

A railway official who is informed on what terms the Cincinnati, Hamilton & Dayton syndicate secured control of the Indiana, Decatur & Western says they were much more favorable than would have been the case had the deal with the Lake Erie & Western been consummated, one of the most important items being that since the rumored Lake Erie & Western deal the owners of the Indiana, Decatur & Western had expended nearly \$300,000 in improving the roadbed and purchase of new

J. Q. Youngeman, representing the Armour Transportation Company, is in the city on official business. The Chicago, Burington & Quincy road has recently completed a contract to deliver to P. D. Ar-mour 2,500 cars of wheat from the Northmour 2,500 cars of wheat from the North-west. That was a big dear, but it has now engaged to deliver to him an additional four thousand cars. This wheat will come from the Northwest, and go into the Bur-lington elevators, of which Armour now has the exclusive charge. This is a sort of joint affair between the railroad company and Armour, and it is not improbable that very low freight rate has been made It is Armour's intention to fill houses in Chicago to the ridge poles, and they have an aggregate capacity of 12,000,000 bushels.

There's a Wonderful Difference in teeth. On some the enamel is very thin. and whiten this delicate sheathing, and also

JUDGE BARTHOLOMEW HOLDS HE CAN PUNISH FOR FAILURE TO PAY.

A Point of Law that Has Never Been Passed on by the Supreme

In the Superior Court yesterday Judge Bartholomew settled a point of law in a decision which will no doubt have a salusession at Atlanta. The association is national in character, and a large number of tary effect in a particular class of cases. The point was raised in the divorce suit of Charles A. Lackey against Lillie M. Lackey. The defendant was on March 30, 1805, granted a divorce on her cross comsmaller waterways where washouts might | plaint. The court made a final decree requiring Lackey to pay \$3 each week for the support and education of the children.

Lackey failed to comply with the order return to the city. lumbus, has been appointed auditor of the Lackey failed to comply with the order Western Passenger Association, a position and recently his wife came into court, showed that there was \$75 due from him The Richmond locomotive works are building for the Chesapeake & Ohio road six consolidated engines for freight service, which weigh 130,000 pounds without was held by Lackey's attorney that the order of the court being a final decree, it could only be enforced by the court in the ordinary manner of final judgments for the collection of money. Judge Barcent and is filling the position with marked | tholomew, in looking up the statutes, found that the particular point involved has never been passed upon by the Supreme Court of Indiana.

"This being the case," he said yesterday, "and as there are several similar petitions pending in different causes in the Superior Court, we are left to our own judgment as to our proceedings herein." After quoting from Section 1058, statutes of 1891, which the court holds gives him the power to make the decree as above

specified, he says: "The first query for our consideration is, was the portion of the final decree awarding the custody of the children, and providing that the plaintiff should pay the weekly stipend as specified, or was it a continuing order that the court had the right to make and the power to enforce as the ordinary administration of justice. If the order of the court, as last specified, was a personal judgment, it could only be enforced in execution. But in Bush vs. Bush, 37 Ind., 165, the court says that subject to the control of the lower court, and may be changed upon good cause shown.' If this is good law, and being by the efficiency of the locomotive power of our own Supreme Court, this court is bound by it, then an order pertaining to the custody, support and education of the minor children in the divorce proceeding is not a final judgment. I think there is a clear distinction between a final judgment and a final order, which may result not only in a judgment, but carrying with it a duty to be performed under the terms thereof, or in execution of the final decree of the

> INTENT OF THE LAW. "So here, I conclude, the Legislature, having placed in this court one of the most sacred trusts, that of caring for the support and education of minor children, providing for their custody and education, by the court, one that, if its orders in such cases may be treated with contempt and utterly disregarded, would result in absolute impotency of justice, and the courts would become mere tools for the entry of orders and decrees for the pro-tection of innocent, helpless children with no power to enforce the same, the execution and carrying out thereof depending upon the disposition and will of the person against whom such orders have been made, many of them, perhaps, un-principled and without any feeling or moral obligation. Such a state of affairs and such execution of the orders and de-crees of the court for such beneficent purposes cannot be accepted by this court as the intention of the law-making power. On the other hand, this court sees the intention of the Legislature to ingraft in the law, giving the court the power to throw around all such children its mantle of protection and shield of defense, and power to enforce its orders therein, and not only the power, but the absolute duty to see that the orders made therein shall he obeyed and carried out for the benefit, support and education of the minor chil-dren in behalf of whom the orders are

"This being so, it follows naturally that an alternative order may issue in this case for the plaintiff to show why he should not be punished as for a contemptuous disregard of the order of this court in the premises,"

THE DOG TAX FUND.

Supreme Court Refuses a Rehearing in Center Township Case.

Yesterday the Supreme Court refused the petition for a rehearing in the case of L. Williams, treasurer. This is the suit Williams to compel the apportionment of the surplus dog-tax fund of this township among all of the school corporations of the township. The case was won by Williams, and an appeal was taken, in which the decision of the lower court was affirmed. The petition for the rehearing brought up the question of the division of the funds that had accumulated since the case was filed, and cited the fact that since that time large areas had been taken into the city, and claimed the city should not have the benefit of the tax that had accumulated to this territory. The decision holds that the town-ship trustees should apportion the several different funds that have accumulated in portion to the population of the different school corporations at the time the fund should have been divided, and not in accordance with the population at the present

NO FUTURE DAMAGES.

Supreme Court Overrules a Decision from Howard County. A case of considerable interest to the public in general was decided by the Su-

preme Court yesterday. It was held, in the case of the Indiana Natural Gas Company against Henry Jones and others, that in the assessment of damages in condemnation proceedings no allowance shall be made for future prospective damages that could accrue only through an accident. The case came from Howard county. The land of Jones and others was condemned for the purpose of laying gas pipes. It was appraised, but the owners were not satisfied with the appraisement and entered suit to set it aside. The matter was tried before a jury, which gave judgment for an amount larger than the appraisers had named. The trial judge had instructed the jury that in considering the damages to be allowed it must consider not only the actual damage; but damages that might in pulling out his watch the money came out accrue on account of the dangerous character of the gas. This was held to be erroneous by the Supreme Court and the case

Suing a Second Time. The damage suit of Marion McCorkle against the Vandalia rallway is being tried for the second time in the Circuit Court, McCorkle, in 1893, was employed by the company and while switching cars in the yards had an arm injured. It was afterward necessary to amputate the arm. He brought suit for damages and got a judgment in the Circuit Court for \$5,000. In the

Supreme Court the finding was reversed. The plaintiff is now suing for \$20,000. John Reardon Asks for \$10,000. John Reardon, whose house was blown up by natural gas at Broad Ripple last May, yesterday began an action for damages against the Broad Ripple Natural Gas Company. He avers that he ordered the gas shut off and acting on the belief that his wishes had been respected he went into the cellar and lighted a match. An explosion followed which burned him about the face and injured his eyes. He

wants \$10,000 The Engine Ran Too Fast. Frank Klee, by his next friend, Emma \$15,000 damages for injuries received June 22. 1894. The plaintiff was struck by an engine while crossing the track at Georgia street. The complaint avers that the engine was running at a rate of speed in exengineer failed to ring the bell on the approach to the crossing.

Moses Rubens Beat Him. Gustav Joseph, in a complaint filed in the Superior Court yesterday, charges that Moses Rubens beat him unmercifully Dec. | more vulnerable to disease. In a thousand 8, 1895. The plaintiff says he was compelled to spend \$25 for medical services and on account of the injuries received has been unable to resume his vocation, which is

that of a co. hercial traveler. He demands

Susie Law's Claim for Damages. Susie Law yesterday brought suit against the Citizens' Street-railroad Company on account of an accident which befell her last summer while riding on one of the defend-ant's cars. She tried to alight at College avenue and Liberty street, she says, but the car started suddenly forward and threw her to the ground. She places her dam-ages at \$10,000.

Shoots at His Neighbor's Dogs. William Carpenter was bound over to keep the peace in the sum of \$300 in the Criminal Court yesterday. The complainant was Robert Jolly. Both men live outside of the city. Carpenter, it was claimed, has been shooting at his neighbor's dogs and creating a general disturbance in the neigh-

She Must Not Come Back. Annie House, a West Indianapolis woman,

under indictment in the Criminal Court, was yesterday released from the county jail to go to Louisville, where her child is ill. She

THE COURT RECORD.

Supreme Court. 17522. Ueker vs. Stone Company. Law-rence C. C. Affirmed. McCabe, J.-1. When the decision in an appeal is to be based upon the evidence in a case the evidence should be in the record. 2. The transscript should show that the bill of exceptions was filed in the office of the clerk of the trial court.

17241. Taggart vs. State ex rel. Williams. Marion S. C. Howard, J.—Petition for rehearing overruled. The township should distribute to each of such school corporashare of the surplus dog fund in his hands in proportion to the population in each corporation at the several times when the fund should have beer distributed to them 17547. Commissioners vs. Jamison. Tippe canoe S. C. Affirmed. Jordan, J .- An action

of mandamus will not lie against the auditor of a county to compel him to issue a warrant upon the county treasurer for the charges and expenses incurred and paid by another county for a cause theren tried upon a change of venue from the one wherein the cause of action arose, but the bill must be presented to the Board of 17240. Gold vs. State ex rel. Adams. Marion S. C. Petition for rehearing over

Appellate Court. 1692. East vs. McKee. Green C. C. Affirmed. Ross, J.-This case is affirmed upon the authority of East vs. McKee. 1801. Praigg vs. Paving and Supply Com-Marion S. C. Transferred to Supreme Court. Davis, J .- When the constitutionality of an act is presented for decision the jurisdiction is in the Supreme

1711. Oil and Gas Company vs. Jones. Howard C. C. Reversed. Reinhard, J.-1 Courts must take cognizance of things that must happen according to the laws of nature. 2. It must be presumed that what the Legislature has commanded to be done. can be done and will be done. 3. Compensation is not to be given for probable losses in the future, but for the depreciation in value from the danger.

1788. Campbell vs. Town of Nappanee.

Elkhart C. C. Appeal dismissed.

1867. Post vs. Hill. Porter C. C. Petition to set aside submission and order new notice granted.

Superior Court. Room 1-John L. McMaster, Judge. Heinrich Lull vs. Indianapolis Chair Manufacturing Company; damages. On trial by jury. Jerry Sheehan et al. vs. H. Thomas; street improvement. Dismissed and costs

Room 2-Lawson M. Harvey, Judge. Julius Jones vs. Laura B. Applegate; me-chanic's lien. Dismissed at plaintiff's cost. John H. Murphy et al. vs. Robert C. Light; account. Dismissed. Room 3-Pliny W. Bartholomew, Judge.

James Clawson vs. Emil Wulschner et al.; mechanic's lien. Dismissed by plain-Daniel Feely vs. M. J. Burke et al.; note attachment and garnishment. Dismissed and costs paid.

Morr's Rosenfield et al. vs. Peter J. Conway; notes. Finding and judgment for plaintiff for \$647.45. Michigan Lumber Company vs. Emma Doebber; mechanic's lien. Taken under ad-

Martha J. Jennings vs. William Reed; foreclosure. Dismissed at plaintiff's costs. Calvin Sherley vs. Louis Nolbrath et al.; bond. Finding and judgment against debond. Finding and judgment fendants for \$202 and costs. W. G. Wasson Company vs. Margaret Irwin et al.; mechanic's lien. Finding and judgment against defendants for \$17.98.

Circuit Court. Edgar A. Brown, Judge. Sarah Grube, Administratrix, vs. Alexander Conen; on account. Jury returned ver-dict in favor of defendant.

Marion McCorkle vs. The T. H. & I. R'y Company; damages. On trial by jury. New Suits Filed. Gustave Joseph vs. Moses Rubens; suit for damages. Superior Court, Room 1. Henry Mang vs. Jacob Traubutt et al. suit to foreclose mechanic's lien. Superior Solomon Isaacs et al. vs. United States Jerry M. Sheehan et al. vs. A. Barth; improvement. Superior Court, street William Bossert et al. vs. Mary E. law et al.; street improvement. Superior Court George G. Krug vs. Anna Louisa Krug; suit for divorce. Superior Court, Room 1

John Reardon vs. The Broad Ripple Gas Company et al.; suit for damages. Superior Court, Room 2. Susie Law vs. Citizens' Street Railway: suit for damages. Superior Court, Room 2. Frank Klee vs. The Cleveland, Cincinnati, Chicago & St. Louis Railway Company; suit for damages. Superior Court, Room 3 Arthur G. Fosdyke vs. Benjamin F. Cline et ai., suit on note. Superior Court Room L

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